

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

QPSX DEVELOPMENTS 5 PTY LTD.,

Plaintiff,

VS.

CIENA CORPORATION, et al.

Defendants.

[illegible]

Civil Action No. 2:07-cv-118 (TJW)

UNOPPOSED MOTION TO DISMISS

Plaintiff QPSX Developments 5 Pty Ltd., (“QPSX”) and Defendant Nokia Siemens Networks US LLC, (“NSN”) respectfully move the Court to dismiss their respective causes of action against each other and in support would thereof show the court as follows:

All matters in controversy between QPSX and NSN have been settled and compromised, and the parties therefore move to dismiss all causes of action asserted or which could have been asserted in this suit, with prejudice to the right to pursue any such claims in the future. The parties further move that all costs of court be assessed against the party who incurred them.

NSN is unopposed to all relief requested herein.

WHEREFORE, PREMISES CONSIDERED, the parties pray that this action be dismissed with prejudice, with all costs of court being assess against the party who incurred them.

Dated: July 29, 2008

Respectfully submitted,

By: /s/ Robert S. Harrell

Robert S. Harrell
Lead Attorney
Texas Bar No. 09041350
rharrell@fulbright.com
FULBRIGHT & JAWORSKI L.L.P.
1301 McKinney, Suite 5100
Houston, Texas 77010
Telephone: (713) 651-5151
Facsimile: (713) 651-5246

COUNSEL FOR PLAINTIFF
QPSX DEVELOPMENTS 5 PTY LTD.

OF COUNSEL

Brett C. Govett
Texas Bar No. 08235900
Email: bgovett@fulbright.com
Robert M. Chiaviello, Jr.
Texas Bar No. 04190720
Email: bobc@fulbright.com
FULBRIGHT & JAWORSKI L.L.P.
2200 Ross Avenue, Suite 2800
Dallas, Texas 75201-2784
Telephone: (214) 855-8000
Facsimile: (214) 855-8200

Robert S. Bramson
BRAMSON & PRESSMAN
1100 E. Hector Street
Suite 410
Conshohocken, PA 19428
Telephone: (610) 260-4444
Facsimile: (610) 260-4445
rbramson@b-p.com

Otis W. Carroll
Texas Bar No. 03895700
IRELAND, CARROLL & KELLEY, P.C.
6101 South Broadway
P.O. Box 7879
Tyler, Texas 75711-7879
Telephone: (903) 561-1600
Facsimile: (903) 581-1071
Email: otiscarroll@icklaw.com

Franklin Jones, Jr.
Texas Bar No. 00000055
201 West Houston Street
P.O. Box 1249
Marshall, Texas 75671-1249
Telephone: (903) 938-4395
Facsimile: (903) 938-33604395
Email: maizieh@millerfirm.com

CERTIFICATE OF SERVICE

I hereby certify that counsel of record who are deemed to have consented to electronic service are being served this 29th day of July, 2008 with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3). Any other counsel of record will be served by electronic mail, facsimile transmission and/or first class mail on this same date.

/s/ Robert S. Harrell

Robert S. Harrell